

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

GARY SHEPARD,

Plaintiff,

v.

DIRECTOR, NEVADA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Defendants.

Case No.: 3:19-CV-00579-RCJ-CSD

ORDER ADOPTING AND ACCEPTING  
REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE  
(ECF NO. 65)

Before the Court is the Report and Recommendation of United States Magistrate Judge, (ECF No. 65<sup>1</sup>), entered on July 12, 2023, recommending that the Court grant in part and deny in part Defendants' motion for summary judgment. (ECF No. 40). No objection to the Report and Recommendation has been filed.

This action was referred to Magistrate Judge Denney under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

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<sup>1</sup> Refers to Court's docket number.

1 The Court has considered the pleadings and memoranda of the parties and other relevant  
2 matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.

3 **IT IS HEREBY ORDERED** that Magistrate Judge Denney's Report and  
4 Recommendation, (ECF No. 65), is **ADOPTED and ACCEPTED**.  
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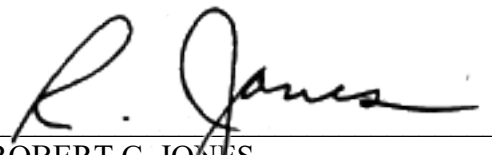
6 **IT IS FURTHER ORDERED** that Defendants' motion for summary judgment, (ECF No.  
7 40), is **GRANTED IN PART** and **DENIED IN PART** as follows:

8 The motion is **GRANTED** as to (1) the claims against Dr. Aranas, Oliver and Howell; and  
9 (2) the claims against Dr. Calderon in Count II.  
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11 The motion is **DENIED** as to the claims against Dr. Calderon in Counts I and III.

12 **IT IS SO ORDERED.**

13 Dated this 31<sup>ST</sup> day of August 2023.  
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17 ROBERT C. JONES  
18 Senior United States District Judge  
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